

**Draft Summary of the Land Use, Land Management and Aesthetics Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
November 17, 2003**

The Department of Water Resources (DWR) hosted a meeting for the Land Use, Land Management and Aesthetics Work Group (LUWG) on November 17, 2003 in Sacramento and via videoconference in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Land Use Resource Action Matrix (Revised)
Attachment 4	Proposed Resource Action Lists

Introduction

Attendees were welcomed to the LUWG meeting. Attendees introduced themselves and their affiliations. The LUWG reviewed the desired outcomes of the meeting. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively.

Action Items – October 27, 2003 Land Use, Land Management and Aesthetics Work Group Meeting

A summary of the October 27, 2003 LUWG meeting is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #LU82: Identify the specific locations of dump areas referenced in LWG-3 (supplemental action item to LU78).

Status: Roger Calloway (DPR) was responsible for this action item but he was unable to attend the meeting due to a conflict with another meeting. Jim Martin (DWR) has researched the DWR dump area issue and reported that Roger Calloway has additional information. Woody Elliot (DPR) will request this information from Roger and will send it to Jim Martin with a copy to Mark Greenig at EDAW for further discussion.

Action Item #LU83: Inform stakeholders when resource actions are moved between work groups via the LUWG agenda (show them on bottom of agenda).

Status: This action item has been completed. Resource action referrals completed at the October 27 LUWG meeting are shown at the bottom of page 1 of the agenda for this meeting.

Action Item #LU84: Coordinate with Andy Atkinson (CDFG) and CDF regarding LWG-7.

Status: LWG-7 is related to a fireboat for CDF. Mark Greenig reported that he was contacted by CDF and there has been a proposal submitted. This issue was deferred until later in the meeting when the Proposed Resource Action Lists were to be discussed.

- Action Item #LU85:** Follow up with County regarding the intent of LWG-2B.
Status: Rob McKenzie (Butte County) believes that LWG-2B, the Open Space Program, has not been submitted. He stated that the County would appreciate such a program, but would be reluctant to coordinate and maintain the program.
- Action Item #LU86:** Check status of Butte County PM&E #6 (to E&O)
Status: The Facilitator noted that this PM&E was referred to the Engineering and Operations Work Group (EOWG), as indicated in the list of Resource Action referrals on the meeting agenda.
- Action Item #LU87:** Follow up with Bob Sharkey regarding the 1977 Feather River Plan for possible inclusion in SP-L3.
Status: Mark Greenig reported that this plan was a physical design plan only. The Facilitator confirmed with Mark that it need not be included in a consistency review from a FERC perspective.
- Action Item #LU88:** Check on status of LWG-4 with DWR management.
Status: Jim Martin (DWR) reported that he had checked with DWR management on this issue pertaining to transfer of BLM lands within or near the project boundary. DWR management is open to pursuing it however, believes it is complicated to receive land from BLM, although BLM suggests it can be done easily as long as the pertinent studies are completed. Jim suggested a meeting between DWR and BLM to get an update on their willingness to participate. Woody Elliot (DPR) suggested that the agencies move quickly so that the studies can be accomplished within the relicensing process and indicated the importance of the issue for DPR. Jim Martin said he would expedite the matter and set up a bi-agency meeting. The Facilitator commented that this does not sound like a relicensing issue, and that in fact the relicensing process may slow this down. It may make sense to pull this out of the relicensing process and handle it separately if funding allows. Woody Elliot said that he prefers to keep it in the relicensing process, but will check with upper management about this issue. Jim Martin will pursue the issue via e-mail.
- Action Item #LU89:** Prepare separate resource action lists ("A", "B", and "C" lists) and submit to LUWG for review of cross-resource impacts (by November 10). Finalize list for presentation to the Plenary Group (on November 17).
Status: The Facilitator noted that while the lists have been prepared and distributed, the Plenary Group's November meeting has been canceled, so the LUWG has additional time to complete their review. The LUWG agreed to discuss the resource action lists during the main part of the meeting.
- Action Item #LU80:** Review the Land Use resource action matrix against Butte County's resource action list for consistency (*carryover action item*).
Status: Rob MacKenzie stated that he has not completed this action item but that he will do so as soon as possible.

Study Implementation Update

Mark Greenig provided an update on all five Land Use, Land Management and Aesthetics study plans to the LUWG. Further description of these study plans is provided in the meeting notes from the October 27 LUWG meeting. It was noted that all interim reports for the various studies are considered draft until stated otherwise.

SP-L1 (Land Use) and SP-L2 (Land Management)

These study reports are both being reviewed by DWR. Jim Martin and Jim Upholt are trying to move the review process along and expect DWR's review to be complete within the next few weeks, and should be ready for the LUWG before the next meeting. Jim Martin noted that the maps are being reviewed along with the other parts of the studies and that these products are difficult to review. The study reports should go out via e-mail on or before December 8, allowing a week for review before the next LUWG meeting.

SP-L3 (Comprehensive Plan Consistency)

This study is in a state of "suspended animation." . If PM&Es are submitted in the next month or so, the consistency with the various plans reviewed in this report can be evaluated. To do that, other RAMs will need to have people in their technical areas do this evaluation and give the analysis to Jim Martin.

SP-L4 (Aesthetics)

This study remains in progress. Intend to have the study report ready for LUWG review in February 2004.

SP-L5 (Fuel Load Management)

This study is also in a state of "suspended animation." Comments pertinent to this study were received from David Hawks (CDF). The process of examining reports and acquiring additional comments will likely shut down soon. Mark Greenig stated that comments from Andy Atkinson (DFG) were needed. Andy responded that he had provided oral comments to Linda Leeman (EDAW), but was not certain whether she would need written comments. Linda Leeman was queried via e-mail about whether written comments would be necessary. Later in the meeting, Mark Greenig reported that Linda had incorporated the comments into the study, but was not sure whether he had subsequent comments.

Potential Resource Action Development

Based on the revised Resource Action matrix for the LUWG (see Attachment 3), a set of proposed resource action lists was distributed to LUWG participants (see Attachment 4). Proposed resource actions are arranged into three categories—an "A" List (proposed resource actions recommended for further analysis); a "B" List (proposed resource actions not recommended for further analysis); and a "Settlement Issues" List (proposed resource actions with potential for settlement discussion). Also included is a list of proposed resource actions to transfer to other work groups. These lists were described in greater detail, as described below.

- "A" List items are those that the LUWG believes to be reasonable actions that the PDEA team should analyze further. However, just because a proposed resource action is on the A List does not mean that the licensee is committed to completing that action.
- "B" List items are not recommended for further analysis. They can be moved to the A List if necessary to address a Project impact, or to the Settlement Issues list if appropriate.
- "Settlement Issues" are actions for which FERC does not have enforcement power, but may be discussed at the settlement table. These actions are enforceable through means other than the FERC relicensing. Virtually anything can be on the Settlement Issues list.

The "B" List and "Settlement Issues" proposals were developed because all necessary studies have not been completed. The PDEA team cannot wait until all studies are completed before analyzing potential resource actions; therefore, the team will begin their analysis of resource actions (starting with the items on the "A" List) knowing that implementation of these actions is contingent upon amongst other things study results like for recreation the needs analysis. Issues may be moved among lists.

The LUWG reviewed the individual resource actions on the list and made revisions as needed:

- *LWG-20*: This action was included on the list of actions to transfer to other work groups. However, Andy Atkinson reported that the Environmental and Recreation and Socioeconomics work groups believe this is a land use and land management issue (i.e., should be addressed by the LUWG). The Facilitator noted that this resource action should be separated into five different actions and distributed to several work groups. She added that most of the pieces are already being discussed in other work groups. For example, the first three on the list are included in recreation, and the Recreation and Socioeconomics Work Group put the activities together regarding funding for management activities (on its "B" List). Jim Martin said that he would check with the Recreation and Socioeconomics Work Group regarding where the items should go. He will meet with Doug Rischbieter (DWR) from the Recreation and Socioeconomics Work Group and Andy Atkinson to discuss the issues.
- *LWG-17*: Jim Martin said that anywhere trees are mentioned in this action, he prefers the language "appropriate vegetation" because it may be preferable to have shrubs or other non-trees with the same benefit. He wants to retain flexibility, with drought tolerant species included. Evergreens are preferred over deciduous trees. Mark Greenig commented that Roger Calloway's intent was to have tall trees to break up the visual impact of the levee; Andy Atkinson agreed with this. Jim Martin said that the same benefit could result by using 10-foot shrubs and *including* trees. The group agreed to use the language "appropriate vegetation including trees."
- *LWG-30*: It was clarified that the Wildlife Conservation Board is part of DFG and is not a separate department as indicated in the language for this action.
- *LWG-7*: David Hawks (CDF) mentioned that there have been problems with access to Lake Oroville for fire support and emergency response, so an emergency fire and rescue boat is needed. Andy Atkinson mentioned that on one occasion in the 1970s many houseboats burned at Bidwell Marina and others have burned since then; fire suppression has been inadequate. When emergency response is needed, DPR in Sacramento is contacted to dispatch someone to the scene. CDF meets DPR at the marina where DPR has a boat, then fights the fire or provides medical response on the lake. Rob McKenzie said that the Butte County Sheriffs have a boat but it primarily patrols the Afterbay. The form submitted for *LWG-7* specifies that the boat requested would operate out of Bidwell Marina. This form will be submitted to the PDEA team for analysis.
- *LWG-2A1*: Mark Greenig described this proposal to establish a vegetation management program to use drought tolerant/native plants to reduce water consumption in existing areas. The Facilitator stated that DWR could list locations that would be included in this plan. Mark Greenig indicated that if DWR does not list such locations the PDEA could suggest locations.
- *LWG-3*: Andy Atkinson stated that the Environmental Work Group would have serious issues with any work involving the low flow channel of the river due to the Endangered Species Act. The Facilitator commented that there would be some environmental constraints and noted that this is a significant cross-resource topic. Mark Greenig noted the need to look at permits required. Jim Martin suggested that DWR consult with fisheries biologists about this. He cited actions on the American River below Nimbus Dam that have been more beneficial than detrimental.
- *LWG-8*: Mark Greenig described this proposal, which would establish a debris reduction program in camping and other public areas by DWR in cooperation with DPR, DFG, and other entities. There would be public outreach including lake cleanup, an adopt-a-shoreline program, newspaper ads, and a trash/debris reporting hotline. All agreed that trash in the Oroville Wildlife Area is a particular problem.

- **LWG-21:** Rob MacKenzie asked about whether this action had been sent to the Engineering and Operation Work Group, because it appears on the Settlement Issues list distributed at this meeting. The Facilitator clarified that this action is under consideration by both work groups.

The Facilitator asked if meeting participants were in agreement with the order of information on the “A” List, “B” List, and “Settlement Issues” list. She clarified that the “B” List will also go to the PDEA team but these items will not be recommended for further analysis. There is the same level of information for these items as for “A” List actions. The PDEA will include a list of all proposed resource actions even if they are not analyzed in the document as part of an alternative. Settlement discussions will begin at the start of 2004, but the PDEA team is doing analysis now. As the settlement team discusses items, they will give the PDEA team more issues to analyze before the 2005 document is completed.

Next Meeting and Next Steps

The next Land Use, Land Management and Aesthetics Work Group meeting will be:

Date: Monday, December 15, 2003
 Time: 6-10 pm
 Location: Oroville

Action Items

The following list of action items identified by the Land Use, Land Management and Aesthetics Work Group includes a description of the action, the participant responsible for the action, and the due date.

Action Item #LU80: Review the Land Use resource action matrix against Butte County’s resource action list for consistency (*carryover action item*)

Responsible: Rob MacKenzie
Due Date: December 15, 2003

Action Item #LU90: Discuss specific locations of dump areas referenced in LWG-3, including information known by DPR staff (supplemental action item to LU82).

Responsible: Woody Elliot (DPR), Roger Calloway (DPR), and Jim Martin (DWR)
Due Date: December 15, 2003

Action Item #LU91: Set up meeting between DWR and BLM regarding transfer of federal (BLM) lands within or near the project boundary (LWG-4).

Responsible: Jim Martin (DWR)
Due Date: December 15, 2003

Action Item #LU92: Consult with Recreation and Socioeconomics Work Group regarding items included in LWG-20.

Responsible: Jim Martin (DWR) and Andy Atkinson (DFG)
Due Date: December 15, 2003